IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF ILLINOIS

JIMMY HOSKINS,	)	
	)	
Petitioner,	)	
	)	
vs.	)	CIVIL NO. 10-cv-794-JPG
	)	
DAVE RENOUR,	)	
	)	
Respondent.	)	

MEMORANDUM AND ORDER

GILBERT, District Judge:

Petitioner, currently incarcerated in the Menard Correctional Center, filed a petition for a writ habeas corpus action pursuant to 28 U.S.C. § 2254 to challenge the constitutionality of his confinement. Plaintiff has not yet paid the $5.00 filing fee applicable to such petitions, 28 U.S.C. § 1914, or sought leave to proceed *in forma pauperis* with respect to it.

IT IS HEREBY ORDERED that, within **FIFTEEN (15) DAYS** of the date of the entry of this order, Petitioner shall pay the $5 filing fee applicable to this action. In the alternative, Petitioner may file a motion to proceed *in forma pauperis*, supported by a certified copy of his prison trust fund account statement for the six-month period immediately preceding the filing of the complaint and an affidavit that includes a statement of his assets. Petitioner is **ADVISED** that in the event he has been transferred among institutions during this six-month period, it is Petitioner's responsibility to obtain a copy of his prison trust account statement from each such facility and to forward it to the Court. Petitioner is **FURTHER ADVISED** that his obligation to pay the filing fee for this action was incurred at the time the action was filed; such an obligation

will exist whether or not Petitioner is granted leave to proceed *in forma pauperis.* 28 U.S.C.

§ 1915(b)(1); *see also Lucien v. Jockisch,* 133 F.3d 464, 467 (7ᵗʰ Cir. 1998).

IT IS FURTHER ORDERED that upon conclusion of this fifteen-day period, should

Petitioner fail to comply with this order, this case may be closed for failure to comply with an

order of this Court. FED.R.CIV.P. 41(b); *see generally Ladien v. Astrachan,* 128 F.3d 1051 (7ᵗʰ

Cir. 1997)*; Johnson v. Kamminga,* 34 F.3d 466 (7ᵗʰ Cir. 1994).

IT IS SO ORDERED.

Dated: October 21, 2010.

                           s/ J. Phil Gilbert

                           U. S. District Judge